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EXAMINER	
WILSON, YOLANDA L	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/996,972	Applicant(s) PETERSEN ET AL.	
	Examiner Yolanda Wilson	Art Unit 2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 November 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6,8,11,12,22-28,31,32,39,40 rejected under 35 U.S.C. 102(b) as being anticipated by Tinaztepe et al. (USPN 5913022A). As per claim 1, Tinaztepe et al. discloses a host device having a database containing selectable test options, a remote device to which information from the host device is downloaded, said information comprising at least one test selection, said remote device being capable of implementing a test protocol corresponding to said test selection by interfacing with and controlling testing equipment in the abstract.

3. As per claim 2, Tinaztepe et al. discloses wherein the host device further comprises a database containing selectable identifiers for electronic equipment, and wherein said information further comprises at least one equipment selection in column 4, lines 37-52. Pin definitions can be related to a specific circuit arrangement.

4. As per claim 3, Tinaztepe et al. discloses wherein said host device further comprises a graphic user interface module which allows a user to interface with said databases and to select from said identifiers for electronic equipment and said test options in column 4, lines 37-52.

5. As per claim 4, Tinaztepe et al. discloses wherein said host device further comprises a database containing selectable testing equipment options in column 4, lines 37-52. The patterns are selectable for testing of the equipment.

6. As per claim 5, Tinaztepe et al. discloses translation modules for translating testing steps into communication sequences specific to particular testing equipment in column 4, lines 37-52.

7. As per claim 6, Tinaztepe et al. discloses wherein said information is downloaded via a wired connection in column 3, lines 10-20. The wired connection can be a bus.

8. As per claim 8, Tinaztepe et al. discloses wherein said information is downloaded via a computer network in column 3, lines 10-20.

9. As per claim 11, Tinaztepe et al. discloses selecting at least one test option using a host device, downloading information comprising at least one test selection to a remote device, having an operator interface said remote device to testing equipment to test particular electronic equipment in the abstract.

10. As per claim 12, Tinaztepe et al. discloses selecting at least one identifier for electronic equipment using the host device, and wherein said information further comprises at least one electronic equipment selection in column 4, lines 37-52. Pin definitions can be related to a specific circuit arrangement.

11. As per claim 22, Tinaztepe et al. discloses a device having a database containing selectable test options wherein selections can be made by a user via a user interface, said selections comprising at least one test selection, said device being capable of

implementing a test protocol corresponding to said test selection by interfacing with and controlling testing equipment in the abstract.

12. As per claim 23, Tinaztepe et al. discloses wherein the device further comprises a database containing selectable identifiers for electronic equipment, and wherein said selections further comprise at least one equipment selection in column 4, lines 37-52. Pin definitions can be related to a specific circuit arrangement.

13. As per claim 24, Tinaztepe et al. discloses wherein said device further comprises a graphic user interface module which allows a user to interface with said databases and to select from said identifiers for electronic equipment and said test options in column 4, lines 37-52.

14. As per claim 25, Tinaztepe et al. discloses wherein said device further comprises a database containing selectable testing equipment options in column 4, lines 37-52.

15. As per claim 26, Tinaztepe et al. discloses further comprising translation modules for translating testing steps into communication sequences specific to particular testing equipment in column 4, lines 37-52.

16. As per claim 27, Tinaztepe et al. discloses wherein said device is a host or server device capable of interfacing with testing equipment via wired, wireless, network, or internet connection in column 3, lines 10-20 and column 4, lines 37-52.

17. As per claim 28, Tinaztepe et al. discloses wherein said device is a remote device capable of interfacing with testing equipment via wired, wireless, network, or internet connection in column 3, 10-20.

18. As per claim 31, Tinaztepe et al. discloses selecting at least one test option using a device, said test option comprising at least one test selection, interfacing said device to testing equipment to test particular electronic equipment in the abstract.

19. As per claim 32, Tinaztepe et al. discloses selecting at least one identifier for electronic equipment using the device, and selecting at least one electronic equipment selection in column 4, lines 37-52. Pin definitions can be related to a specific circuit arrangement.

20. As per claim 39, Tinaztepe et al. discloses wherein the device is a host or server device capable of interfacing with the testing equipment via wired, wireless, network, or internet connection in column 3, lines 10-20.

21. As per claim 40, Tinaztepe et al. discloses wherein the device is a remote device capable of interfacing with testing equipment via wired, wireless, network, or internet connection in column 3, lines 10-20.

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

23. Claims 7 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tinaztepe et al. in view of Engwer et al. (US Publication Number 20030193895A1). As

per claim 7, Tinaztepe et al. fails to explicitly state said information is downloaded via a wireless connection.

Engwer et al. discloses on page 1, paragraph 0003, "The ability of users to access programs and share data over local area networks...has become a necessity for most working environments. To improve efficiency and ease of use, certain enhancements may be added to a LAN such as a remote wireless LAN (WLAN) is formed."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have said information being downloaded via a wireless connection. A person of ordinary skill in the art would have been motivated to have said information being downloaded via a wireless connection because a wireless connection is a known way of exchanging information in a network environment.

24. As per claim 42, Tinaztepe et al. fails to explicitly state wherein said remote device is a PDA or Palm device, and wherein said testing equipment comprises transmissions testing equipment.

Engwer et al. discloses this limitation on page 2, paragraph 0027.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have said remote device be a PDA or Palm device, and wherein said testing equipment comprises transmissions testing equipment. A person of ordinary skill in the art would have been motivated to have said remote device be a PDA or Palm device, and wherein said testing equipment comprises transmissions testing equipment because pda's can be used to test communications between devices.

Engwer et al. discloses on page 2, paragraph 0027, "The WU [which include pda's] is loaded with software to detect and extract load balancing and/or test patters from payloads of data frames following special beacons as described below."

25. Claims 9,10,13-15,17-21,29,30,33-34,36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tinaztepe et al. in view of Mongan et al. (USPN 6304982B1). As per claim 9, Tinaztepe et al. fails to explicitly state said remote device further comprises means for recording results from a test, and further comprising means for uploading said results to said host device.

Mongan et al. discloses in column 4, lines 54-61, "When the test 110 has finished executing, the client program 106 sends the results to the server program 112 and then repeats the process. The client program 106 continues testing in this manner until it is stopped. Since no tests 110 or results are permanently stored on the client computer 102..."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have said remote device further comprises means for recording results from a test, and further comprising means for uploading said results to said host device. A person of ordinary skill in the art would have been motivated to have said remote device further comprises means for recording results from a test, and further comprising means for uploading said results to said host device because the recording of the results and the uploading of those results to a host device will be used to access whether or not the object being tested is faulty or not. Mongan et al. discloses this in column 5, lines 10-15.

26. As per claim 10, Tinaztepe et al. fails to explicitly state wherein said host device further comprises means for analyzing said results.

Mongan et al. discloses in column 5, lines 10-15, "Upon receiving the test 110 object and result object, the test manager 120 first determines whether the test 110 passed or failed in its most recent execution. If it passed, the test manager 120 checks to see whether the test 110 has ever failed. If it has never failed, the test 110 is retired from the system."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have said host device further comprises means for analyzing said results. A person of ordinary skill in the art would have been motivated to have said host device further comprises means for analyzing said results because the means for analyzing the results will be used to access whether or not the object being tested is faulty or not.

27. As per claim 13, Tinaztepe et al. fails to explicitly state recording the results of a test using the remote device, uploading the results of the test from the remote device to a central database.

Mongan et al. discloses in Figure 1 and in column 4, lines 54-61, "When the test 110 has finished executing, the client program 106 sends the results to the server program 112 and then repeats the process. The client program 106 continues testing in this manner until it is stopped. Since no tests 110 or results are permanently stored on the client computer 102..."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to record the results of a test using the remote device, uploading the results of the test from the remote device to a central database. A person of ordinary skill in the art would have been motivated to record the results of a test using the remote device, uploading the results of the test from the remote device to a central database because the recording of the results and the uploading of those results to a central database will be used to access whether or not the object being tested is faulty or not. Mongan et al. discloses this in column 5, lines 10-15.

28. As per claim 14, Tinaztepe et al. discloses wherein the central database is contained on the host device in column 4, lines 53-63.

29. As per claim 15, Tinaztepe et al. fails to explicitly state analyzing and managing the results of the test using the central database.

Mongan et al. discloses in Figure 1 and in column 4, lines 54-61, "When the test 110 has finished executing, the client program 106 sends the results to the server program 112 and then repeats the process. The client program 106 continues testing in this manner until it is stopped. Since no tests 110 or results are permanently stored on the client computer 102..."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to analyze and manage the results of the test using the central database. A person of ordinary skill in the art would have been motivated to analyze and manage the results of the test using the central database because the analyzing and managing of those results by using the central database will be used to

access whether or not the object being tested is faulty or not and to have a permanent ability to access the test results. Mongan et al. discloses this in column 5, lines 10-15.

30. As per claim 17, Tinaztepe et al. fails to explicitly state performing at least one subordinate test via said remote device in response to a failing result from a test step.

Mongan et al. discloses this limitation in column 5, lines 39-46.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to perform at least one subordinate test via said remote device in response to a failing result from a test step. A person of ordinary skill in the art would have been motivated to perform at least one subordinate test via said remote device in response to a failing result from a test step because the subordinate test can make sure that the failure occurs on each type of equipment. Mongan et al. discloses this in column 5, lines 48-51.

31. As per claim 18, Tinaztepe et al. fails to explicitly state results from the at least one subordinate test are used to determined a specific cause of failure.

Mongan et al. discloses this limitation in column 5, lines 48-62.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the at least one subordinate test are used to determined a specific cause of failure. A person of ordinary skill in the art would have been motivated to have the at least one subordinate test are used to determined a specific cause of failure because finding the cause of the failure will help to find a way to solve the problem.

32. As per claim 19, Tinaztepe et al. fails to explicitly state providing an option to the operator when a failing result from a test step arises to continue or discontinue testing.

Mongan et al. discloses this limitation in column 5, lines 10-30.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an option to the operator when a failing result from a test step arises to continue or discontinue testing. A person of ordinary skill in the art would have been motivated to provide an option to the operator when a failing result from a test step arises to continue or discontinue testing because the cause and repetitiveness of the failure can be determined. Mongan et al. discloses this in column 5, lines 52-62.

33. As per claim 20, Tinaztepe et al. fails to explicitly state providing an option to interface with said host device to complete testing.

Mongan et al. discloses this limitation in column 5, lines 39-46.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an option to interface with said host device to complete testing. A person of ordinary skill in the art would have been motivated to provide to provide an option to interface with said host device to complete testing because the host device holds the tests and it would have to be accessed in order to get the required test.

34. As per claim 21, Tinaztepe et al. discloses the host device interfaces directly with the testing equipment in the abstract. The host device is the tester.

35. As per claim 29, Tinaztepe et al. fails to explicitly state means for recording results from a test.

Mongan et al. discloses in column 4, lines 54-61, "When the test 110 has finished executing, the client program 106 sends the results to the server program 112 and then repeats the process. The client program 106 continues testing in this manner until it is stopped. Since no tests 110 or results are permanently stored on the client computer 102..."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have means for recording results from a test. A person of ordinary skill in the art would have been motivated to have means for recording results from a test because the recording of the results will be used to access whether or not the object being tested is faulty or not. Mongan et al. discloses this in column 5, lines 10-15.

36. As per claim 30, Tinaztepe et al. fails to explicitly state means for analyzing said results.

Mongan et al. discloses in column 5, lines 10-15, "Upon receiving the test 110 object and result object, the test manager 120 first determines whether the test 110 passed or failed in its most recent execution. If it passed, the test manager 120 checks to see whether the test 110 has ever failed. If it has never failed, the test 110 is retired from the system."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have means for analyzing said results. A person of

ordinary skill in the art would have been motivated to have means for analyzing said results because the means for analyzing the results will be used to access whether or not the object being tested is faulty or not.

37. As per claim 33, Tinaztepe et al. fails to explicitly state recording the results of a test using the device.

Mongan et al. discloses in column 4, lines 54-61, "When the test 110 has finished executing, the client program 106 sends the results to the server program 112 and then repeats the process. The client program 106 continues testing in this manner until it is stopped. Since no tests 110 or results are permanently stored on the client computer 102..."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to record results of a test using the device. A person of ordinary skill in the art would have been motivated to record results of a test using the device because the recording of the results will be used to access whether or not the object being tested is faulty or not. Mongan et al. discloses this in column 5, lines 10-15.

38. As per claim 34, Tinaztepe et al. fails to explicitly state analyzing and managing the results of the test using a central database.

Mongan et al. discloses in Figure 1 and in column 4, lines 54-61, "When the test 110 has finished executing, the client program 106 sends the results to the server program 112 and then repeats the process. The client program 106 continues testing in this manner until it is stopped. Since no tests 110 or results are permanently stored on the client computer 102..."

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to analyze and manage the results of the test using the central database. A person of ordinary skill in the art would have been motivated to analyze and manage the results of the test using the central database because the analyzing and managing of those results by using the central database will be used to access whether or not the object being tested is faulty or not and to have a permanent ability to access the test results. Mongan et al. discloses this in column 5, lines 10-15.

39. As per claim 36, Tinaztepe et al. fails to explicitly state performing at least one subordinate test via said device in response to a failing result from a test step.

Mongan et al. discloses this limitation in column 5, lines 39-46.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to perform at least one subordinate test via said device in response to a failing result from a test step. A person of ordinary skill in the art would have been motivated to perform at least one subordinate test via said device in response to a failing result from a test step because the subordinate test can make sure that the failure occurs on each type of equipment. Mongan et al. discloses this in column 5, lines 48-51.

40. As per claim 37, Tinaztepe et al. fails to explicitly state wherein results from the at least one subordinate test are used to determined a specific cause of failure.

Mongan et al. discloses this limitation in column 5, lines 48-62.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the at least one subordinate test are used to

determined a specific cause of failure. A person of ordinary skill in the art would have been motivated to have the at least one subordinate test are used to determined a specific cause of failure because finding the cause of the failure will help to find a way to solve the problem.

41. As per claim 38, Tinaztepe et al. fails to explicitly state providing an option to the operator when a failing result from a test step arises to continue or discontinue testing.

Mongan et al. discloses this limitation in column 5, lines 10-30.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an option to the operator when a failing result from a test step arises to continue or discontinue testing. A person of ordinary skill in the art would have been motivated to provide an option to the operator when a failing result from a test step arises to continue or discontinue testing because the cause and repetitiveness of the failure can be determined. Mongan et al. discloses this in column 5, lines 52-62.

42. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tinaztepe et al. in view of Lowell et al. (USPN 6282265B1). As per claim 41, Tinaztepe et al. fails to explicitly state wherein said remote device is a PDA or Palm device, and wherein said testing equipment comprises telecommunications testing equipment.

Lowell et al. discloses this limitation in column 3, lines 41-50.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have said remote device be a PDA or Palm device, and wherein said testing equipment comprises telecommunications testing equipment. A

person of ordinary skill in the art would have been motivated to have said remote device be a PDA or Palm device, and wherein said testing equipment comprises telecommunications testing equipment because the pda's allow remote access to telecommunications equipment to be tested.

43. Claims 16,35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tinaztepe et al. in view of Mongan et al. in view of Jones et al. (USPN 5946372A) in further view of Sprenger et al. (USPN 5861882A). As per claim 16, Tinaztepe et al. fails to explicitly state said results comprise a circuit identifier, a test time, a test set configuration, and a test step.

Mongan et al. discloses a test time and a test step in column 4, lines 35-50. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have said results comprise a test time and a test step. A person of ordinary skill in the art would have been motivated to have said results comprise a test time and a test step because the test time indicates when the test has been requested. The test step is the specific test that has been requested and information regarding the test needs to be kept for future reference. Mongan et al. discloses this in column 5, lines 10-15,39-51.

Tinaztepe et al. and Mongan et al. fail to explicitly state the results comprise a circuit identifier.

Jones et al. discloses this limitation in column 3, lines 42-50.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the results comprise a circuit identifier. A person of

ordinary skill in the art would have been motivated to have the results comprise a circuit identifier because the circuit tested requires identification to determine the end of testing. Jones et al. discloses this in column 3, lines 13-18.

Tinaztepe et al., Mongan et al., and Jones et al. fail to explicitly state the results comprise a test set configuration.

Sprenger et al. discloses this limitation in column 14, lines 1-13.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the results comprise a test set configuration. A person of ordinary skill in the art would have been motivated to have the results comprise a test set configuration because the test configuration can be recalled immediately if needed again.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yolanda Wilson whose telephone number is (703) 305-3298. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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